

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	STEPHENS, Garland	§ Attorney Docket	
		§ Number:	8224.003.NPUS00
Serial No.:	09/655,929	§ Art Unit:	3628
Date Filed:	09-06-2000	§ Conf. No.:	8518
For:	METHOD AND SYSTEM FOR	§ Examiner:	NGUYEN, NGA B
	DETERMINING, CONTRACTING TO	§	(571)272-6796
	EXCHANGE, AND ACCOUNTING FOR	§	
	MATCHED SETS OF OFFSETTING CASH	§	
	FLOWS	§	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT
AND ALTERNATIVELY,
PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(B)**

BACKGROUND:

The present application was noticed for abandonment on February 10, 2006 for failure to respond to the Office Action dated December 30, 2003. That notice was not received by applicant-inventor, Garland Stephens.

REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT:

Response to the Office Action dated December 30, 2003 was dated and mailed April 2, 2004 by applicant-inventor including a request for a two month extension of time, together with a completed credit card authorization form, extending the period for response upto, and including, April 10, 2004, (see Exhibit A).¹ The Response was received by the Office and the extension was charged on or before April 7, 2004; the authorized charge was processed by American Express on April 7, 2004 (see Exhibit B).

¹ A declaration by applicant-inventor is included herewith as Appendix A, supporting the included facts and documents.

On May 14, 2005 a Change of Correspondence Address was mailed to the Office by applicant-inventor, together with a Status Request explaining certain history of the case (see Exhibit C). Included therein, a previously-occurring phone call from the Examiner to applicant-inventor was described in which the Examiner first stated that the Response to the Restriction Requirement of December 30, 2003 was not received by the Office, but then during the call the Examiner located the Response. Since that time, applicant-inventor has been awaiting the next Action at the changed address. Further, in April and June of 2006, Information Disclosure Statements were respectively filed by applicant-inventor in the case.

In July 2007, the undersigned representative was engaged to represent the applicant-inventor on the present case and a review of the file history has revealed the present abandoned status. Responsively, this Request/Petition has been prepared and is submitted, together with the included information and documentation that has been collected.

In view of the above, it is respectfully requested that the holding of abandonment be withdrawn and the case forwarded for substantive examination.

ALTERNATIVELY, PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(B)


In the event that the Office determines that the requirements for withdrawal of the holding of abandonment have not been fully met, it is respectfully requested that the included Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (see Exhibit D) be considered and granted. To that end, the Office is authorized to charge the fee of \$750.00 from the undersigned's deposit account, 14-1437 according to the included Fee Transmittal (see Exhibit E).

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, referencing Attorney Docket No.: 8224.003.NPUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Office may directly contact the undersigned by phone to further the discussion.

Novak, Druce & Quigg, LLP
1000 Louisiana, Suite 5300
Houston, Texas 77002
(713) 571-3400
(713) 456-2836 (fax)
tracy.druce@novakdruce.com

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tracy Druce", written in a cursive style.

Tracy W. Druce, Esq.
Reg. No. 35,493

APPENDIX

A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	STEPHENS, Garland	§ Attorney Docket	
		§ Number:	8224.003.NPUS00
Serial No.:	09/655,929	§ Art Unit:	3628
Date Filed:	09-06-2000	§ Conf. No.:	8518
For:	METHOD AND SYSTEM FOR	§ Examiner:	NGUYEN, NGA B
	DETERMINING, CONTRACTING TO	§	(571)272-6796
	EXCHANGE, AND ACCOUNTING FOR	§	
	MATCHED SETS OF OFFSETTING	§	
	CASH FLOWS	§	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION

As a below named inventor, I hereby declare that:

The present application was noticed for abandonment on February 10, 2006 for failure to respond to the Office Action dated December 30, 2003. That notice was not received by me.

Response to the Office Action dated December 30, 2003 was dated and mailed April 2, 2004 by applicant-inventor including a request for a two month extension of time extending the period for response upto, and including, April 10, 2004 (see Exhibit A). The Response was received by the Office and the authorized extension was charged on or before April 7, 2004; the charge was processed on my American Express on April 7, 2004 (see Exhibit B).

On May 14, 2005, I mailed a Change of Correspondence Address to the Office, together with a Status Request explaining certain history of the case (see Exhibit C). Included therein, a previously-occurring phone call from the Examiner to me was described in which the Examiner first stated that the Response to the Restriction Requirement of December 30, 2003 was not received by the Office, but then during the call the Examiner located the Response. Since that time, I have been awaiting the next Action at the changed address. Further, in April and June of 2006, I filed Information Disclosure Statements in the case.

In July 2007, I engaged the undersigned representative to represent me in the present case and a review of the file history has revealed the present abandoned status. Responsively, the accompanying Request/Petition has been prepared and submitted without delay, together with the included information and documentation collected.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Full name of first or sole inventor STEPHENS, Garland
Inventor's signature  Date 8/15/07
Residence Houston, TEXAS
Citizenship UNITED STATES
Post Office Address 3012 Reba Drive, Houston, TEXAS 77019

EXHIBIT A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Garland T. STEPHENS, et al.

Application No.: 09/655,929

Group Art Unit: 3628

Filed: September 6, 2000

Examiner: Nga B. Nguyen

For: METHOD AND SYSTEM FOR DETERMINING,
CONTRACTING TO EXCHANGE, AND
ACCOUNTING FOR MATCHED SETS OF CASH
FLOWS

Response to Restriction Requirement And Petition For Extension of Time

Director of the United States Patent and Trademark Office
PO Box 1450
Alexandria, VA 22313-1450

Sir:

By Office Action mailed 12/30/2003, the Examiner required restriction to the claims of group I (claims 1-3 and 12) or group II (claims 4-11 and 13-24). Applicants hereby elect group I.

Applicants further respectfully petition for an extension of time to file the present response pursuant to 27 C.F.R. 1.136(a). Applicants believe that the fee due for such extension is \$475.00 and have included with this mailing a credit card authorization. Should this amount be in error, Applicants authorize any additional amount to be charged to the same credit card.

Respectfully submitted,

Date: April 2, 2004



Garland T. Stephens
117 Varick Street #2R
New York, NY 10013

37,242
(Reg. No.)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

United States Patent and Trademark Office
Credit Card Payment Form
 Please Read Instructions before Completing this Form

Credit Card Information

Credit Card Type:	<input type="checkbox"/> Visa	<input type="checkbox"/> MasterCard	<input checked="" type="checkbox"/> American Express	<input type="checkbox"/> Discover
Credit Card Account #:	3721 230136 73009			
Credit Card Expiration Date:	11/05			
Name as it Appears on Credit Card:	Garland T. Stephens			
Payment Amount: \$ (US Dollars):	475 ⁰⁰			
Cardholder Signature:	Garland T. Stephens		Date:	4/1/04

Refund Policy: The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The office will not refund amounts of \$25.00 or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR § 1.26). Refund of a fee paid by credit card will be issued as a credit to the credit card account to which the fee was charged.

Service Charge: There is a \$50.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR § 1.21 (m)).

Credit Card Billing Address

Street Address 1:	117 Varick Street		
Street Address 2:	Apt. 2R		
City:	New York		
State/Province:	NY	Zip/Postal Code:	10013
Country:	USA		
Daytime Phone #:	(212) 310-8976	Fax #:	(212) 310-8007

Request and Payment Information

Description of Request and Payment Information:

<input checked="" type="checkbox"/> Patent Fee	<input type="checkbox"/> Patent Maintenance Fee	<input type="checkbox"/> Trademark Fee	<input type="checkbox"/> Other Fee
Application No. 09/655,929	Application No.	Application No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No.		Identify or Describe Mark	

If the cardholder includes a credit card number on any form or document other than the Credit Card Payment Form, the United States Patent and Trademark Office will not be liable in the event that the credit card number becomes public knowledge.

EXHIBIT B

DUPLICATE COPY



**Personal Card
Statement of Account**

**109,323
Membership Rewards®
Points Available**

at 02/29/04, when charges due are paid in full and all accounts are in good standing.

Prepared For
GARLAND T STEPHENS

Account Number
[REDACTED] 73009

Closing Date
04/20/04

Page 1 of 8

Previous Balance \$	Payments/Credits \$	New Charges \$	New Balance \$
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

**Please Pay By
05/05/04**

Please refer to page 2
for important information
regarding your account

Your payment is due in full. Please pay by 05/05/04. Pay your bill online anytime, anywhere
at www.americanexpress.com.

Contact us at www.americanexpress.com or call Customer Service at 1-800-528-4800.

Return Protection - We'll Take It Back When Others Won't

From time to time, merchants refuse to take back items you purchase at the store or online. That's why it's nice to know if you're dissatisfied with any eligible purchases you made with the Card and the merchant won't take it back, Return Protection can help. Perhaps the item is too big. Maybe you don't like the color. Simply contact us within 90 days from the date of purchase, and American Express will reimburse you for the purchase price up to \$300 per item and up to a maximum of \$1,000 annually per Card Account, excluding shipping and handling. Coverage is subject to additional Terms, Conditions and Exclusions.

Activity * Indicates posting date

New Activity for GARLAND T STEPHENS

Card XXXX-XXXX-73009

		Amount \$
04/07/04*	ELECTRONIC PAYMENT RECEIVED - THAN	[REDACTED]
03/21/04	[REDACTED]	[REDACTED]
03/21/04	[REDACTED]	[REDACTED]
03/21/04	[REDACTED]	[REDACTED]
03/22/04	[REDACTED]	[REDACTED]

↓ Please fold on the perforation below, detach and return with your payment ↓

Payment Coupon

Account Number
[REDACTED] 73009

Please Pay By:
05/05/04

Continued on Page 3

Please enter account
number on all checks and
correspondence.

To avoid additional
Finance Charges on
Purchases, pay New
Balance before Payment
Due Date.

Total Amount Due
[REDACTED]

Note any address and/or
telephone number change
on reverse side. Unless
you check here, this
change will apply to all of
your Card Accounts except
any Corporate Card
Accounts you may have.

☐

GARLAND T STEPHENS
NO 2R
117 VARICK ST
NEW YORK NY 10013-1422
[REDACTED]

Mail Payment to:

AMERICAN EXPRESS
P.O. BOX 2855
NEW YORK NY 10116-2855

[REDACTED]

0000372123013673009 000788964000788964 2044

DUPLICATE COPY

Prepared For
GARLAND T STEPHENS

Account Number
XXXX-XXXXX6-73009

Page 2 of 8

Payments: Your monthly statement is payable in full upon receipt. Payments must be in U.S. Dollars and drawn on a bank located in the US and (except for electronic payments) placed in the enclosed envelope with the remittance stub and the account number indicated on your check. Do not send cash. Payments received after 12:00 noon or on weekends or holidays may not be credited until the next business day. Please do not send post-dated checks. They will be deposited upon receipt. If payment is made at any other location, there may be a delay in processing. We reserve the right to process checks electronically, at first presentment and any re-presentments, by transmitting the amount of the check, routing number, account number and check serial number to your financial institution. Your checking account may be debited as soon as the same day we receive your payment. If we can not collect the funds electronically at first presentment, we may issue a draft against your account for the amount of the check.

Authorization for Electronic Payments: By using the American Express Pay By Computer, Pay By Phone or any other American Express electronic payment service, you will be authorizing American Express to initiate an electronic debit to the financial account you specify in the amount you request. To use Pay By Computer, please visit us at www.americanexpress.com.

Lost or Stolen Card: If the Card is lost or stolen in the United States, contact us immediately at 1-800-992-3404. Outside the U.S., contact the nearest American Express Travel Service Office or call us collect at 336-393-1111. You are fully protected against any fraudulent use of the Card when you notify American Express before it is fraudulently used. Your maximum liability is \$50 should you fail to report its loss or theft.

Charge Card and Statement Information: The annual fee is \$55.00 for the Basic Card and \$30.00 for each Additional Card. An additional \$5 is charged for billing addresses outside the U.S. Renewal Cards are issued every three years. If the Card you carry is damaged, you may have it replaced sooner by calling Customer Service. You may discontinue your Membership by calling Customer Service. Be sure to keep your copy of the charge slips for comparison to your billed charges. The Statement Closing Date is the last date that charges and credits are processed to appear on the statement. Your account will be Past Due if payment for your previous month's statement was received after the closing date. To keep your account current, pay by the payment due date shown on your statement.

Billing Rights Summary: In Case of Errors or Questions About Your Bill: If you think your bill is wrong, or if you need more information about a transaction which appears on your statement, contact us at the Customer Service department indicated on your paper statement, or click on the Customer Service link online. We must hear from you no later than 60 days after we sent you the first bill on which the error or problem appeared. Although you may telephone us, doing so will not preserve your rights.

What We Need From You When You Have A Billing Inquiry: 1. Your name and account number; 2. The dollar amount of the suspected error; 3. Describe the error and explain, if you can, why you believe there is an error. If you need more information, describe the item you are unsure about. You do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your bill that are not in question. While we investigate your inquiry, we cannot report you as delinquent or take any action to collect the amount in question. Please retain any receipts pertinent to your claim.

Special Rules For Charge Card Purchases: If you have a problem with the quality of goods or services that you purchased with the Card, and you have tried in good faith to correct the problem with the merchant, you may not have to pay the remaining amount due on the goods or services. You have this protection only when the purchase price was more than \$50 and the purchase was made in your home state or within 100 miles of your mailing address. (If we own or operate the merchant, or if we mailed you the advertisement for the property or services, all purchases are covered regardless of amount or location of purchase.)

In Case of Errors or Questions About Your Electronic Transfers: Please contact us by clicking on the Customer Service Link online at www.americanexpress.com, or you can call us at 1-800-IPAY-AXP for Pay By Phone and Pay By Computer issues, or 1-800-CASH-NOW for Express Cash and automatic payment issues. You can also write to the Express Cash Operations address indicated on your statement. If you think your statement, receipt, or transaction is wrong, please contact us as soon as possible. We must hear from you no later than 60 days after we sent you the FIRST statement on which the problem or error appeared.

When contacting us: 1. Tell us your name and account number; 2. Provide the dollar amount of the suspected error; 3. Describe the error or the transfer you are unsure of, and explain as clearly as you can why you believe there is an error or why you need more information. We will investigate your complaint and correct any error promptly. If we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have use of the money during the time it takes us to complete our investigation.

Credit Balance: If a credit balance (designated "CR") is shown on this statement, it represents money owed to you. You may make charges against the credit balance or request a refund. Requests for refunds should be made in writing to the Refund Unit at the Customer Service address indicated on your paper statement, or click on the Customer Service link online. If you do not make sufficient charges against the credit balance or request a refund, we will, within 30 days after expiration of the six-month period following the date of the first statement indicating the credit balance, issue a check to you for the credit balance in your account if the amount is \$1.00 or more. **Important Notice to North Dakota Residents:** If an account is past due for two or more billing cycles, a late payment fee of 1.75% of all past due amounts will be added.



To Pay By Phone
1-800-472-9297

Customer Service
1-800-528-4800
24 hours/7days

Lost or Stolen Card
1-800-992-3404

Express Cash
1-800-CASH-NOW

International Collect
1-336-393-1111

Hearing Impaired
(9am-5pm EST)
TTY: 1-800-221-9950
FAX: 1-800-695-9090
In NY: 1-800-552-1897



Correspondence

Customer Service
P.O. Box 297804
Ft. Lauderdale, FL
33329-7804

Express Cash
Operations
P.O. Box 297815
Ft. Lauderdale, FL
33329-7815

Payments
P.O. BOX 2855
NEW YORK NY
10116-2855

Change of Address

If correct on front
do not use

Name																								
Company Name																								
Street Address																								
City, State																								
Zip Code																								
Area Code and Home Phone																								
Area Code and Work Phone																								
Email																								

Providing your email address to American Express will enable you to receive special offers, suited to your needs.

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Prepared For
GARLAND T STEPHENS

Account Number
XXXX-XXXXX6-73009

Closing Date
04/20/04

Page 3 of 8

New Activity Continued		Amount \$
03/22/04	RECEIVED [REDACTED] FOR [REDACTED]	[REDACTED]
03/23/04	[REDACTED]	[REDACTED]
03/23/04	[REDACTED]	[REDACTED]
03/23/04	[REDACTED]	[REDACTED]
03/23/04	[REDACTED]	[REDACTED]
03/24/04	[REDACTED]	[REDACTED]
03/24/04	[REDACTED]	[REDACTED]
03/24/04	[REDACTED]	[REDACTED]
03/25/04	[REDACTED] Rental: [REDACTED] Return: [REDACTED] [REDACTED] [REDACTED]	[REDACTED]
03/25/04	[REDACTED] Arrival Date: [REDACTED] [REDACTED]	[REDACTED]
03/26/04	[REDACTED]	[REDACTED]
03/26/04	[REDACTED]	[REDACTED]
03/26/04	[REDACTED]	[REDACTED]
03/26/04	[REDACTED]	[REDACTED]
03/28/04	[REDACTED]	[REDACTED]
03/28/04	[REDACTED]	[REDACTED]
03/28/04	[REDACTED]	[REDACTED]
03/30/04	[REDACTED] [REDACTED]	[REDACTED]
03/30/04	[REDACTED]	[REDACTED]
03/31/04	[REDACTED]	[REDACTED]

Continued on reverse

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Prepared For
GARLAND T STEPHENS

Account Number
XXXX-XXXXX6-73009

Page 4 of 8

New Activity Continued

Amount \$

03/31/04	HEAVY DUTY RENTAL Location: SEATTLE WA Return: PORTLAND OR Agreement Number: [REDACTED] Renter Name: STEPHENS / GARLAND Reference Number: [REDACTED]	Date: [REDACTED]	[REDACTED]
03/31/04	GAMESTOP.COM WWW.GAMESTOP.COM		[REDACTED]
03/31/04	ANDANT RECORD		[REDACTED]
04/01/04	NYCC SPORTS HEALTH FITNESS CENTER		[REDACTED]
04/01/04	METALINK MVM METROCARD		[REDACTED]
04/01/04	WELLNAMES LODGING		[REDACTED]
04/02/04	BITCOIN CASHMONEY		[REDACTED]
04/03/04	POWER NY		[REDACTED]
04/03/04	POWER NY		[REDACTED]
04/06/04	POWER NY		[REDACTED]
04/07/04	POWER 3		[REDACTED]
04/07/04	POWER NEW YORK		[REDACTED]
04/07/04	US PATENT TRADEMARK 703-305-4631 GOVERNMENT SERVICES	VA	475.00
04/08/04	POWER NY		[REDACTED]
04/12/04	POWER NY		[REDACTED]
04/13/04	POWER NY		[REDACTED]
04/15/04	POWER CA		[REDACTED]
04/18/04	POWER NY		[REDACTED]
04/19/04	POWER TV		[REDACTED]
Total of New Activity			New Charges Payments/Credits

EXHIBIT C

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CHANGE OF CORRESPONDENCE ADDRESS <i>Application</i> Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	091655,929
	Filing Date	Sept. 6, 2000
	First Named Inventor	Stephens, G.
	Art Unit	3628
	Examiner Name	Nga B. Nguyen
	Attorney Docket Number	

Please change the Correspondence Address for the above-identified patent application to:

☐ The address associated with
Customer Number:

OR

☒ Firm or
Individual Name

Garland Stephens

Address

3012 Reba Drive

City

Houston

State

TX

Zip

77019

Country

USA

Telephone

(713) 546-5044

Email

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:



Applicant/Inventor

Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

Attorney or agent of record. Registration Number _____.



Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____.

Signature

Garland Stephens

Typed or Printed
Name

Garland Stephens

Date

5/14/05

Telephone

(713) 546-5044

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.



*Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Garland T. STEPHENS, et al.

Application No.: 09/655,929

Group Art Unit: 3628

Filed: September 6, 2000

Examiner: Nga B. Nguyen

For: METHOD AND SYSTEM FOR DETERMINING,
CONTRACTING TO EXCHANGE, AND
ACCOUNTING FOR MATCHED SETS OF CASH
FLOWS

STATUS REQUEST

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

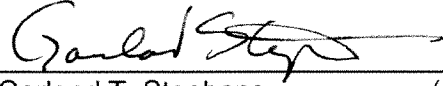
Pursuant to MPEP § 203.08, Applicants request to be advised of the status of the above-identified application. The application was filed September 6, 2000. Applicants received a restriction requirement mailed 12/30/2003, and responded with an election and petition for extension of time on April 2, 2004. The undersigned was charged via credit card for the response and extension fees. A copy of the response to the restriction requirement is included with this status request.

Some months later, the undersigned received a call from the examiner asking why no response to the restriction requirement had been received. After some discussion, the examiner was able to locate the Applicants' response. No further communication has been received.

Applicants respectfully request to be advised of the status of the application.

Respectfully submitted,

Date: May 14, 2005



37,242

Garland T. Stephens
3012 Reba Drive
Houston, TX 77019
(713) 546-5044

(Reg. No.)

EXHIBIT D

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
8224.003.NPUS00

First named inventor: STEPHENS, Garland

Application No.: 09/655,929

Art Unit: 3628

Filed: September 9, 2000

Examiner: NGUYEN, NGA B.

Title: METHOD AND SYSTEM FOR DETERMINING,
CONTRACTING TO EXCHANGE,
AND ACCOUNTING FOR MATCHED SETS OF OFFSETTING CASH FLOWS

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of Response to Restriction Requirement And Petition for Exte... (identify type of reply):

- ☒ has been filed previously on or about April 7, 2004.
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

/Tracy W. Druce/

Signature

August 15, 2007

Date

Tracy W. Druce

Typed or printed name

35,493

Registration Number, if applicable

1000 Louisiana Street 53rd Floor

Address

713.571.3400

Telephone Number

Houston, Texas 77002

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☒ Other: Request for Withdrawal of Holding of Abandonment . . .**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300._____
August 15, 2007

Date

/Tracy W. Druce/

Signature

Tracy W. Druce (electronically filed)

Typed or printed name of person signing certificate

Exhibit C). Included therein, a previously-occurring phone call from the Examiner to applicant-inventor was described in which the Examiner first stated that the Response to the Restriction Requirement of December 30, 2003 was not received by the Office, but then during the call the Examiner located the Response. Since that time, applicant-inventor has been awaiting the next Action at the changed address. Further, in April and June of 2006, Information Disclosure Statements were respectively filed by applicant-inventor in the case.

In July 2007, the undersigned representative was engaged to represent the applicant-inventor on the present case and a review of the file history has revealed the present abandoned status. Responsively, this Request/Petition has been prepared and is submitted, together with the included information and documentation that has been collected.

In view of the above, it is respectfully requested that the holding of abandonment be withdrawn and the case forwarded for substantive examination.

ALTERNATIVELY, PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(B)

In the event that the Office determines that the requirements for withdrawal of the holding of abandonment have not been fully met, it is respectfully requested that the included Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (see Exhibit D) be considered and granted. To that end, the Office is authorized to charge the fee of \$750.00 from the undersigned's deposit account, 14-1437 according to the included Fee Transmittal.

¹ A declaration by applicant-inventor is included herewith as Appendix A, supporting the included facts and documents.

EXHIBIT E

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL
For FY 2007**☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 750.00**Complete if Known**

Application Number	09/655,929
Filing Date	September 9, 2000
First Named Inventor	STEPHENS, Garland
Examiner Name	NGUYEN, NGA B.
Art Unit	3628
Attorney Docket No.	8224.003.NPUS00

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 14-1437 Deposit Account Name: Novak Druce & Quigg, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, **except for the filing fee**☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25

Each independent claim over 3 (including Reissues)

200	100
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Multiple dependent claims

360	180
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Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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_____ - 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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_____ - 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims

Fee (\$)	Fee Paid (\$)
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3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)Other (e.g., late filing surcharge): Petition for Revival of an Application for Patent Abandoned Unintent

750.00

SUBMITTED BY

Signature	/Tracy W. Druce/	Registration No. (Attorney/Agent) 35,493	Telephone 713.571.3400
Name (Print/Type)	Tracy W. Druce	Date August 15, 2007	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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